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**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING  
REJECTION OVER A PENDING "REFERENCE" APPLICATION**

Docket Number (Optional)

1166-71117

In re Application of Ken DEFREITAS et al

Application No 10/723,486

Filed November 26, 2003

For X-RAY MAMMOGRAPHY/TOMOSYNTHESIS OF PATIENT'S BREAST

The owner\*, HOLOGIC, INC, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 11/791,601, filed on November 23, 2005, as such term is defined in 35 U S C 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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- 2 ☒ The undersigned is an attorney or agent of record. Reg No 25,161



Signature

May 20, 2010

Date

Ivan S. Kavrukov

Typed or printed name

212-278-0400

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included

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